

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Richard Schneider
Plaintiff,
v.
State Farm Mutual Automobile Insurance Company,
Defendant.

Case No.: 2:14-cv-01932-JAD-CWH

**Order Directing Rebriefing to
Incorporate Supplemental Materials
[ECF 14, 17, 23]**

Three motions are pending in this dispute over whether plaintiff Richard Schneider can stack his State Farm car-insurance coverage: cross-motions for summary judgment and Schneider's motion for leave to file a supplemental brief. Having reviewed the parties' filings, I find that the most efficient way to address the pending motions is to deny the cross-motions for summary judgment without prejudice and allow the parties to rebrief the summary-judgment issues to incorporate the new information that would have been discussed in their supplemental briefs.

Discussion

In March of 2015, Schneider filed a motion for partial summary judgment, and State Farm responded with its own countermotion for summary judgment.¹ A month after the summary-judgment briefing closed, Schneider produced a document that allegedly explains underinsured-motorist stacking as it relates to his State Farm insurance policies.² The parties seek to file additional briefs in support of their motions, responses, and replies to include additional argument about this new evidence.³ Rather than allow the parties to file supplemental briefs resulting in piecemeal discussions, I find it would be more efficient to deny both pending summary-judgment motions and allow the parties to file new motions, responses, and replies to incorporate the new evidence.

¹ ECF 14, 16, 17.

² See ECF 27 at 2; ECF 24 (the parties disagree over the characterization and relevancy of this document).

³ ECF 23, 26.

Conclusion

2 Accordingly, it is HEREBY ORDERED that Schneider's motion for partial summary
3 judgment [ECF 14] is DENIED without prejudice.

4 It is FURTHER ORDERED that State Farm's countermotion for summary judgment [ECF
5 17] is DENIED without prejudice.

6 It is FURTHER ORDERED that Schneider's motion for leave to file a supplement [ECF 23]
7 is GRANTED in part. The information that would have been included in the supplemental briefs
8 should be included in renewed motions, responses, and replies filed in compliance with the
9 following schedule:

- 10 • Schneider has until September 21, 2015, to file his renewed motion for partial
11 summary judgment;

12 • State Farm has until October 15, 2015, to file its response to that motion and its own
13 renewed countermotion for summary judgment;

14 • Schneider has until November 9, 2015, to file a reply in support of his renewed
15 motion for partial summary judgment and his response to defendant's renewed
16 countermotion;

17 • State Farm has until November 28, 2015, to file its reply in support of its renewed
18 countermotion.

DATED this 10th day of September, 2015

Jennifer A. Dorsey
United States District Judge